

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**LAWRENCE WILSON,**

**Defendant.**

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**8:08CR126**

**ORDER**

This matter is before the court on the motion of defendant Lawrence Wilson (Wilson) to review detention and for an evidentiary hearing (Filing No. 23). Following a detention hearing on March 27, 2008, Wilson was detained as a flight risk and a danger to the community (Filing Nos. 5 and 9). Wilson seeks a review of the detention order and seeks placement at his grandmother's residence or at CH, Inc., in Council Bluffs, Iowa, while employed.

Wilson is charged with possessing a firearm after having been convicted of a felony. In his Pretrial Services interview, Wilson reported sporadic employment in his recent history. He also reported daily marijuana usage. Wilson has a substantial prior criminal history. Since October of 1996, Wilson has approximately fifty-six police contacts. He has a felony conviction for attempted delivery of a controlled substance for which he spent time in the Lincoln Correctional Center. He has been convicted twenty-one times of driving during suspension. He has been convicted ten times for driving under revocation. He has other convictions for trespassing, carrying a concealed weapon, receiving stolen property, driving under the influence, and providing false information to a police office (three occasions), and numerous failures to appear in court.

The Pretrial Services Report indicates the Omaha Police Department (OPD) received a radio call to the 30th and Lake Street area at 0456 hours on August 4, 2007, regarding shots being fired. An OPD Officer working close to the area also heard numerous shots coming from the Pleasantview Housing Development. Upon arriving at the area, an OPD officer observed a blue Oldsmobile leaving the scene at a high rate of speed. Police attempted a traffic stop at 30th and Parker Street, but the driver fled in the

vehicle. Due to the nature of the call, police initiated a pursuit of the Oldsmobile. The pursuit continued until the driver crashed the Oldsmobile at 3600 Franklin Street. The OPD police vehicle was also damaged. The driver and passenger were detained. The driver identified himself as Matthew Culliver, but it was later determined he was actually Culliver's brother, Lawrence Wilson, the defendant. A search of the vehicle revealed two spent 7.62 mm casings on the driver's floor. Police located a 7.62 mm assault rifle on the ground, near the front of the vehicle. Additional officers checked the original shots fired call scene and located personal property damage to a vehicle, and seven 7.62 mm casings in the street. Wilson was later searched and on his person was a spent 7.62 mm casing in his pants pocket.

The court found Wilson to be a flight risk and a danger to the community. Release to his grandmother or to CH, Inc., would not reasonably assure the safety of the community or Wilson's compliance with conditions of release. Wilson's motion will be denied.

**IT IS ORDERED:**

Wilson's motion to review detention and for an evidentiary hearing (Filing No. 23) is denied.

DATED this 14th day of July, 2008.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge